

PZ-1403028



**County of Roanoke  
Community Development  
Planning & Zoning**

5204 Bernard Drive  
P O Box 29800  
Roanoke, VA 24018

(540) 772-2068 FAX (540) 776-7155

**For Staff Use Only**

Date received: 11/21/14	Received by: J. James
Application fee: \$15.00	PC/BZA date: 1/6/15
Placards issued:	BOS date: 1/27/15
Case Number: 2-1/2015	

<b>ALL APPLICANTS</b>	
Check type of application filed (check all that apply) <input checked="" type="checkbox"/> Rezoning <input type="checkbox"/> Special Use <input type="checkbox"/> Variance <input type="checkbox"/> Waiver <input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Comp Plan (15.2-2232) Review	
Applicants name/address w/zip Roger & Deborah Rardin 1084 Givens Tyler Rd. Salem, VA 24153	Phone: 540-330-6314 Work: Cell #: 540-915-1313 Fax No.: 540-380-3076
Owner's name/address w/zip Same-	Phone #: _____ Work: _____ Fax No. #: _____
Property Location O Poor Mountain Rd. Salem VA	Magisterial District: Catawba Community Planning area:
Tax Map No.: 064.02-02-55.00-0000	Existing Zoning: I-2 & R-1
Size of parcel(s): Acres: 8	Existing Land Use: Vacant
<b>REZONING, SPECIAL USE PERMIT, WAIVER AND COMP PLAN (15.2-2232) REVIEW APPLICANTS (R/S/W/CP)</b>	
Proposed Zoning: I-2 to R-1	
Proposed Land Use: No Use / Residential	
Does the parcel meet the minimum lot area, width, and frontage requirements of the requested district? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> IF NO, A VARIANCE IS REQUIRED FIRST.	
Does the parcel meet the minimum criteria for the requested Use Type? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> IF NO, A VARIANCE IS REQUIRED FIRST	
If rezoning request, are conditions being proffered with this request? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
<b>VARIANCE, WAIVER AND ADMINISTRATIVE APPEAL APPLICANTS (V/W/AA)</b>	
Variance/Waiver of Section(s) _____ of the Roanoke County Zoning Ordinance in order to:	
Appeal of Zoning Administrator's decision to _____	
Appeal of Interpretation of Section(s): _____ of the Roanoke County Zoning Ordinance	
Appeal of Interpretation of Zoning Map to _____	

Is the application complete? Please check if enclosed. **APPLICATION WILL NOT BE ACCEPTED IF ANY OF THESE ITEMS ARE MISSING OR INCOMPLETE.**

R/S/W/CP V/AA

<input checked="" type="checkbox"/>	Consultation
<input checked="" type="checkbox"/>	Application
<input checked="" type="checkbox"/>	Justification

Consultation  
Application  
Justification

R/S/W/CP V/AA

<input checked="" type="checkbox"/>	8 1/2" x 11" concept plan
<input checked="" type="checkbox"/>	Metes and bounds description
<input checked="" type="checkbox"/>	Water and sewer application

8 1/2" x 11" concept plan  
Metes and bounds description  
Water and sewer application

R/S/W/CP V/AA

<input checked="" type="checkbox"/>	Application fee
<input checked="" type="checkbox"/>	Proffers, if applicable
<input checked="" type="checkbox"/>	Adjoining property owners

Application fee  
Proffers, if applicable  
Adjoining property owners

I hereby certify that I am either the owner of the property or the owner's agent or contract purchaser and am acting with the knowledge and consent of the owner.

Deborah P. Rardin  
Roger Rardin

Owner's Signature

**JUSTIFICATION FOR REZONING, SPECIAL USE PERMIT WAIVER OR COMP PLAN (15.2-2232) REVIEW REQUESTS**Applicant Roger & Deborah Rardin

The Planning Commission will study rezoning, special use permit waiver or community plan (15.2-2232) review requests to determine the need and justification for the change in terms of public health, safety, and general welfare. Please answer the following questions as thoroughly as possible. Use additional space if necessary.

Please explain how the request furthers the purposes of the Roanoke County Ordinance as well as the purpose found at the beginning of the applicable zoning district classification in the Zoning Ordinance.

Please explain how the project conforms to the general guidelines and policies contained in the Roanoke County Community Plan.

We would like to change the zoning of this parcel to R-1 so the entire property is R-1. This is due to a split zoning issue.

Please describe the impact(s) of the request on the property itself, the adjoining properties, and the surrounding area, as well as the impacts on public services and facilities, including water/sewer, roads, schools, parks/recreation and fire and rescue.

Approval of this rezoning will add to what is an already existing subdivision, correcting the split zoning issue. There are no public services & facilities, including water, sewer, roads, schools, parks/rec. & fire & rescue therefore none of these would be impacted by this change. RR Donnelley has no plans to purchase this property.

**JUSTIFICATION FOR VARIANCE REQUEST**

Applicant

Roger & Deborah Rardin

The of Zoning Appeals is required by Section 15.2-2309 of the Code of Virginia to consider the following factors before a variance can be granted. Please read the factors listed below carefully and in your own words, describe how the request meets each factor. If additional space is needed, use additional sheets of paper.

1. The variance shall not be contrary to the public interest and shall be in harmony with the intended spirit and purpose of the Zoning Ordinance.

This parcel will become a part of "Chimney Hills". R-1 subdivision.  
Rezoning this property will ensure that no Industry  
can negatively effect "Chimney Hills" or any bordering  
parcels. - Greenway.

2. The strict application of the zoning ordinance would produce undue hardship (as distinguished from a special privilege or convenience) and would prohibit or unreasonably restrict the use of the property.

This parcel is extremely wet and muddy when rainy.  
There are multiple "ponds" in wet weather.  
This change will not negatively affect any bordering  
properties.

3. The hardship is not shared by other properties in the same zoning district or vicinity. Such hardships should be addressed by the Board of Supervisors as amendments to the Zoning Ordinance.

It will not create any hardships.

4. The variance will not be of a substantial detriment to the adjacent properties or the character of the district.

It will ensure that the neighborhood, Chimney Hills  
are not affected by Industry

**JUSTIFICATION FOR ADMINISTRATIVE APPEAL REQUEST**Applicant Roger & Deborah Rardin

Please respond to the following as thoroughly as possible. If additional space is needed, use additional sheets of paper.

**1. Reasons for appeal:**

This parcel is split-zoned. The potential purchaser's lending agency requires the property to be zoned R-1 in its entirety.

**2. Evidence supporting claim:**

See attachment from Realtor,

# CONCEPT PLAN CHECKLIST

A concept plan of the proposed project must be submitted with the application. The concept plan shall graphically depict the land use change, development or variance that is to be considered. Further, the plan shall address any potential land use or design issues arising from the request. In such cases involving rezonings, the applicant may proffer conditions to limit the future use and development of the property and by so doing, correct any deficiencies that may not be manageable by County permitting regulations.

The concept plan should not be confused with the site plan or plot plan that is required prior to the issuance of a building permit. Site plan and building permit procedures ensure compliance with State and County development regulations and may require changes to the initial concept plan. Unless limiting conditions are proffered and accepted in a rezoning or imposed on a special use permit or variance, the concept plan may be altered to the extent permitted by the zoning district and other regulations.

A concept plan is required with all rezoning, special use permit, waiver, community plan (15.2-2232) review and variance applications. The plan should be prepared by a professional site planner. The level of detail may vary, depending on the nature of the request. The County Planning Division staff may exempt some of the items or suggest the addition of extra items, but the following are considered minimum:

## ALL APPLICANTS

- ☒ a. Applicant name and name of development
- ☒ b. Date, scale and north arrow
- ☒ c. Lot size in acres or square feet and dimensions
- ☒ d. Location, names of owners and Roanoke County tax map numbers of adjoining properties
- ☒ e. Physical features such as ground cover, natural watercourses, floodplain, etc.
- ☒ f. The zoning and land use of all adjacent properties
- ☒ g. All property lines and easements
- ☒ h. All buildings, existing and proposed, and dimensions, floor area and heights
- ☒ i. Location, widths and names of all existing or platted streets or other public ways within or adjacent to the development
- ☒ j. Dimensions and locations of all driveways, parking spaces and loading spaces

## Additional information required for REZONING and SPECIAL USE PERMIT APPLICANTS

- ☒ k. Existing utilities (water, sewer, storm drains) and connections at the site
- ☒ l. Any driveways, entrances/exits, curb openings and crossovers
- ☒ m. Topography map in a suitable scale and contour intervals
- ☒ n. Approximate street grades and site distances at intersections
- ☒ o. Locations of all adjacent fire hydrants
- ☒ p. Any proffered conditions at the site and how they are addressed
- ☒ q. If project is to be phased, please show phase schedule

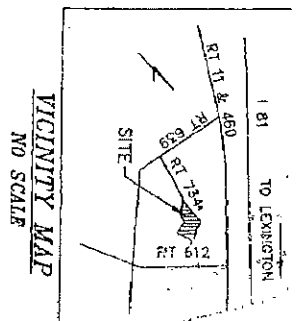
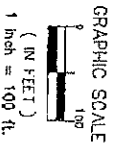
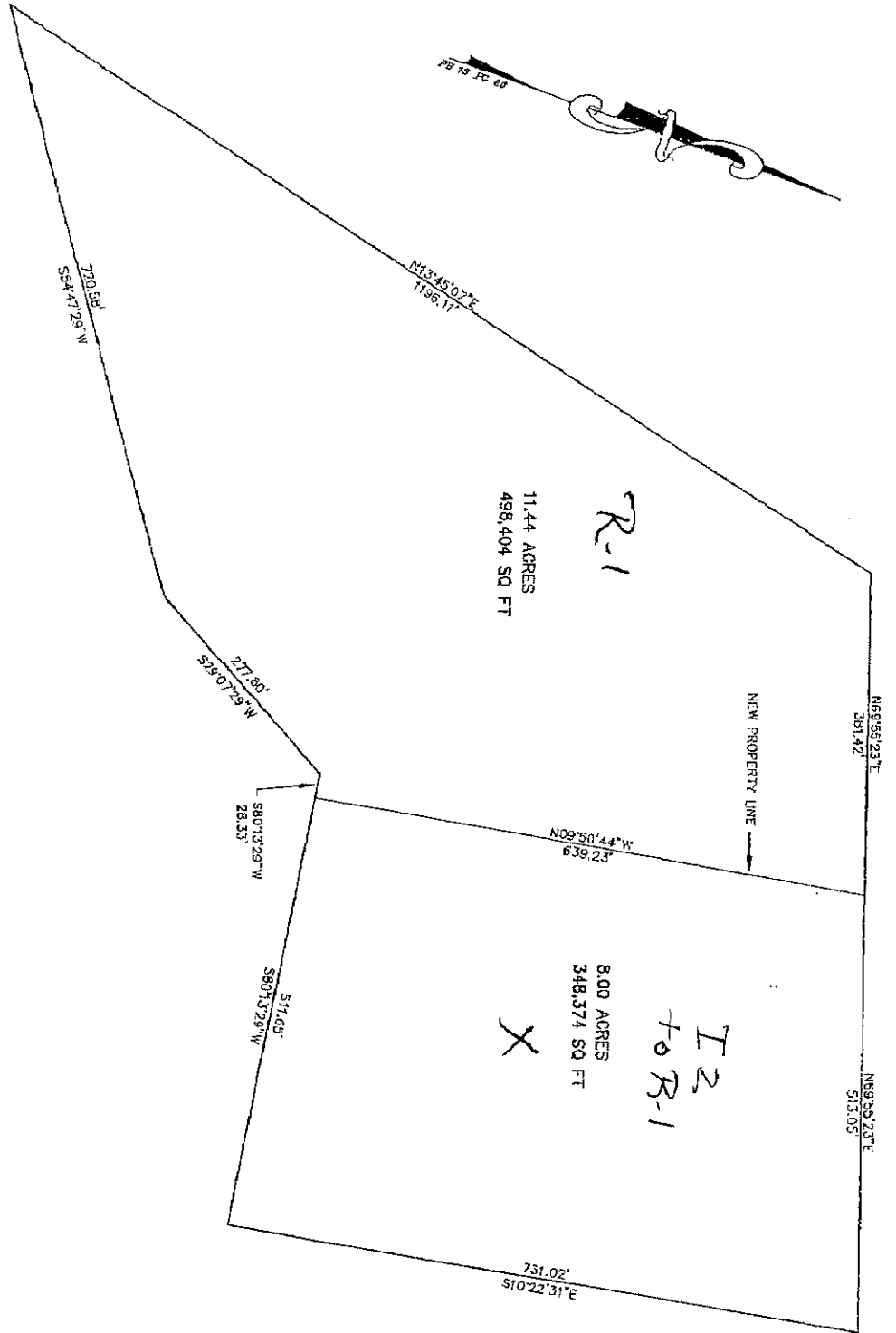
I certify that all items required in the checklist above are complete.

Deborah P. Rardin  
Signature of applicant

Roger Rardin

11/20/14  
Date

IMW  
P.C.  
ENGINEERING-ARCHITECTURE-SURVEYING  
P.O. BOX 24402  
FALLS CHURCH, VIRGINIA 22044  
NO. 11334010-1-00-1-35  
REVISED, VIRGINIA 2003



## 2014 RARDIN CONCEPT PLAN CHECKLIST

1. Applicant name and name of development.
  - Roger and Deborah Rardin – Chimney Hills
2. Date, scale and north arrow.
  - 11/20/14, See attached map.
3. Lot size in acres or square feet and dimensions.
  - 8.00 acres, 348,374 square ft., 513.05 x 639.23 x 511.65 x 731.02.
4. Location, names of owners and Roanoke County tax map numbers of adjoining properties.
  - 5057 Poor Mountain Rd., Salem, VA 24153  
Wright, Dallas J.  
064.02-02-56.00-0000
  - 0 Technology Dr., Salem, VA 24153  
Roanoke County Board of Supervisors  
064.02-02-50.06-0000
5. Physical features such as ground cover, natural watercourses, floodplain, etc.

This parcel is wooded with water drainage over entire 8 acres, creating wetlands. There is a wet weather stream between our parcel and Board of Supervisors parcel- 064.02-02-50.06-0000.
6. The zoning and land use of all adjacent properties.
  - 064.02-02-56.00-0000 – I-2
  - 064.02-02-50.06-0000 – I-2
7. All property lines and easements.
  - See attached map. There are
8. All buildings, existing and proposed, and dimensions, floor area and heights.
  - No buildings existing or proposed.
9. Location, widths and names of all existing or platted streets or other public ways within or adjacent to the development.
  - No streets or other public ways adjacent to the development.
10. Dimensions and locations of all driveways, parking spaces and loading spaces.
  - No driveways, parking spaces or loading spaces.
11. Existing utilities (water, sewer, storm drains) and connections at the site.
  - No existing utilities at this parcel.
12. Any driveways, entrances/exits, curb openings and crossovers.
  - No driveways, entrances/exits, curb openings or crossovers.
13. Topography map in a suitable scale and contour intervals.
  - See attached map.
14. Approximate street grades and site distances at intersections.
  - No streets or intersections.
15. Locations of all adjacent fire hydrants.
  - No fire hydrants.

16. Any proffered conditions at the site and how they are addressed.

- No proffered conditions at the site.

17. If project is to be phased, please show phase schedule.

- Project not to be phased.





203 Main Street, Suite 1  
P. O. Box 178  
New Castle, VA 24127

540-864-6900 Fax: 540-864-6903

### AMENDMENT/ADDENDUM TO CONTRACT OF PURCHASE

This ☒ Amendment ( ) Addendum of that certain Contract dated 11-4-  
20 14 between the undersigned, in consideration of the premises and of the following  
mutual promises and agreements relating to the purchase of real property known as

Tax ID # 064.02-02-55.00-0000 AND TAX ID # 064.04-03-02-01  
21.28 acres +- Poor Mtn Rd Salem - 0000  
provides the following:

"Subject to" sellers starting rezoning process with the county  
of Roanoke to have the <sup>entire</sup> larger parcel rezoned R-1 by December 5, 2014

All previous "subject to's" mentioned in Nov. 4th contract to  
be extended for 10 business days from completion of zoning  
change which should be completed by 12-31-14.

Loan approval date extended to 1-15-15  
AND closing date extended to 1-23-15.

Witness the following signatures and seals this 17<sup>th</sup> day of November 20 14

Listing Agent \_\_\_\_\_

Seller \_\_\_\_\_

Roger Rardin  
Seller

Selling Agent Julia A. DeHart,  
Associate Broker.

Purchaser \_\_\_\_\_

Purchaser \_\_\_\_\_

11/18/2014

Gmail - Rardin to Repa contract 11-4-2014-Rezoning of Tax ID#064.02-02-55.00-0000 from split zoning currently R1 and I2 to ALL R1.



David Pollock &lt;pollockdkjl@gmail.com&gt;

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**Rardin to Repa contract 11-4-2014-Rezoning of Tax ID#064.02-02-55.00-0000 from split zoning currently R1 and I2 to ALL R1.**

1 message

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**DEHARTREALTORS** <dehartrealtors@tds.net>

Mon, Nov 17, 2014 at 8:33 PM

To: pollockdkjl@gmail.com

Cc: g\_repa@yahoo.com

Hey David,

Thank you very much for dropping the surveys off at my office. They are most helpful.

Mr. Repa has spent countless hours working diligently in accomplishing steps necessary in the purchase of the Rardin's land. He has already made application and paid for the septic permit with the Roanoke Co health department. He has met with one surveyor at the property to get an estimate for the survey and has spoken with the surveyor(LMW PC Engineering)that prepared the survey you dropped off to my office. He has also met his architectural engineer out at the property site to look at the location of the house they plan to build. Mr. Repa has also been in close contact with his personal banker of many years(Adam Shores-Hometrust), he has assured him that there should be no problem with him obtaining financing to purchase the land once the land is rezoned all R-1. They love the property and have every intention of buying it. The only hold up for them is this split zoning issue.

Mr. Repa has spoken several times with Rebecca James at Roanoke County-Planning and Zoning. She has advised Mr. Repa that the current owners(The Rardins) can submit a land use application to rezone the entire parcel to R-1. Rebecca said they would be happy to advise how to do so if the Rardins choose to do this. This rezoning of the entire parcel to R1 would solve this zoning dilemma which is holding up this entire process. Due to the holdup with the zoning, we will need to readjust our dates for the release of the subject to's , loan approval and closing dates. I have attached an amendment pertaining to this. Obviously, the sooner we can get the larger tract rezoned all R1-the quicker we can proceed ahead with the purchase and closing-so these dates for everything can be moved up-should we be able to get the zoning change accomplished quicker than the amendment calls for.

Please feel free to call me at any time with questions, comments or to discuss.

Thanks so much, Sheila

Sheila A DeHart, Associate Broker

11/18/2014

Gmail - Rardin to Repa contract 11-4-2014-Rezoning of Tax ID #064.02-02-55.00-0000 from split zoning currently R1 and I2 to ALL R1.

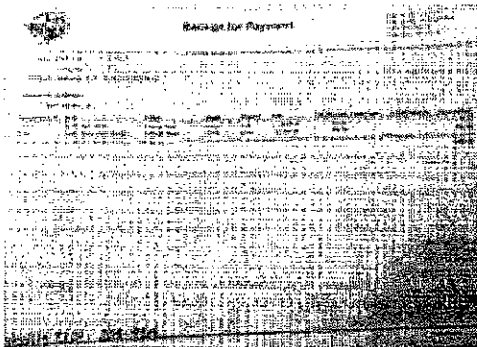
Charlton Associates

New Castle, VA 24127

540 864-6589

dehartrealtors@tds.net

Licensed in Virginia

**2 attachments****New Doc 103\_1.jpg**  
630K**Rardin to Repa nov 4th contract amendment.pdf**  
330K



## Receipt for Payment

Community Development  
5204 Bernard Dr.  
Roanoke, VA 24018

Applicant Name: GEORGE REPA

Permit No: U-1402903

Property Address: 0 POOR MOUNTAIN Road

Secondary Address:

Staff Initials: gsc

Transaction ID	Type	Payee	Tender	Check #	Date	Fee Amount	Credit Type	Credit Amount	Amount Paid
5647	Septic Application	George Repa	Check	5356	11/10/2014	50.00			50.00
5647	Septic Application (State)	George Repa	Check	5356	11/10/2014	350.00			350.00
									400.00

0114 DED - 204-9704

Fwd: dual zoning problem

Fwd: dual zoning problem

Actions

David Pollock

11/18/14

To: Deborah Rardin

Roger and Deborah The first of three emails that outline the situation. I have a call in to meet with Rebecca James in Roanoke County Zoning. I prefer a face to face to get all the details first hand.



From: **David Pollock** (pollockdkjl@gmail.com) You moved this message to its current location.  
Sent: Tue 11/18/14 10:02 AM  
To: Deborah Rardin (deborahrardin@msn.com)  
Roger and Deborah

The first of three emails that outline the situation. I have a call in to meet with Rebecca James in Roanoke County Zoning. I prefer a face to face to get all the details first hand. The emails imply to this issue can be solved. I would like "one" of you with me to help ask questions and understand all "directions".

Thanks, David Pollock

----- Forwarded message -----

From: **DEHARTREALTORS** <dehartrealtors@tds.net>  
Date: Mon, Nov 17, 2014 at 3:32 PM  
Subject: dual zoning problem  
To: pollockdkjl@gmail.com  
Cc: g\_repa@yahoo.com

David,

Please read the email I received last night from the buyers:

They have advised me to tell you that this deal is DEAD IN THE WATER unless the seller remedies the split zoning issue by one of the 2 options they discussed in my email to you on Friday the 14<sup>th</sup>. They have been advised by their attorney Compton Biddle and Adam Shores(Home Trust Bank) that this split zoning issue could present problems in financing, etc.

The email is as follows:

Sheila, to be clear, our goal is not just to buy the raw land. Our goal is to undertake construction and then to put a competitive traditional mortgage on the home once it is completed. The financing complications and challenges especially begin in the construction and post construction phases with the larger parcel being dual zoned at this time.

The dual zoning precludes us from qualifying for a competitive and traditional loan through sources such as Freddie Mac and Sallie Mae. This is the complication, leaving only higher priced financing options to consider. This doesn't work for us.

Farm Credit does not offer competitive loans compared to options opened to us if the parcel met Sallie Mae and Freddie Mac criteria, according to Adam Shores, Market President, Home Trust, and we are not going to accept just any loan at any terms and at any interest rates. That would be foolish and irresponsible. At the time we looked at the SW River road property, I spoke with Joey Cornwell, Branch Manager at Farm Credit. The best rates he would extend were 1- 1/8 to 2- 1/8 percentage points higher than if the property did not have the defect of the dual zoning attached to it. Not very competitive.

From our perspective, the dual zoning defect needs to be remedied, or this property will not work for us.

We also are not willing to buy the raw land as is, cross our fingers, and hope to resolve the dual zoning matter at a later date. The best time to resolve this zoning defect is now.

---George and Donna Repa

I do have an update on the zoning which I will email you next. Mr. Repa has spoken with Roanoke County Zoning and found out what needs to be done to get both parcels zoned residential. Please watch for my next email. I really hope the sellers will work with the buyers in the regard of having this zoning changed. Thanks, Sheila



From: **David Pollock** (pollockdkjl@gmail.com) You moved this message to its current location.  
Sent: Tue 11/18/14 10:02 AM  
To: Deborah Rardin (deborahrardin@msn.com)  
# 2

----- Forwarded message -----

From: **DEHARTREALTORS** <dehartrealtors@tds.net>  
Date: Mon, Nov 17, 2014 at 3:37 PM  
Subject: correction of split(dual) zoning-per Roanoke County  
To: pollockdkjl@gmail.com  
Cc: g\_repa@yahoo.com

David,

Here is what Mr. Repa found out today from Roanoke County as to how the split zoning can be corrected to all of the tract being R-1. It sounds like the second option would be the way to go.

Sheila, here is Rebecca James' comment and suggestion following her conversation with John Murphy at the planning and zoning department this morning.

Essentially, the portion currently zoned industrial or commercial cannot be subdivided, so the first option I proposed the current owners can do is not feasible. This is because there is no road frontage. BUT if the Rardins own any commercial land that adjoins that 8 acre portion that is zoned I-2, it can be added to that adjoining parcel. If they choose to do this, we would have to be satisfied in how the land would be used in the future, and the price would have to be adjusted downward in an appropriate manner to recognize the spinning off of those approximately 8 acres.

The other suggestion Rebecca James made was that the current owners do have the option of submitting a land-use application to rezone the entire parcel to R-1. Their office can advise the Rardins on how to proceed if they choose to do this.



So, there we have it. We believe that this now is up to current owners to consider, and determine what, if anything, they will do with respect to these two options.

Please discuss with your sellers and see if they would be willing to talk with Rebecca James in the Planning and zoning department about having the entire tract rezoned R-1.

Thanks, Sheila

Community Development



Planning &amp; Zoning Division

### POTENTIAL OF NEED FOR TRAFFIC ANALYSIS AND/OR TRAFFIC IMPACT STUDY

The following is a list of potentially high traffic-generating land uses and road network situations that could elicit a more detailed analysis of the existing and proposed traffic pertinent to your rezoning, subdivision waiver, public street waiver, or special use permit request. If your request involves one of the items on the ensuing list, we recommend that you meet with a County planner, the County traffic engineer, and/or Virginia Department of Transportation staff to discuss the potential additional traffic related information that may need to be submitted with the application in order to expedite your application process.

*(Note this list is not inclusive and the County staff and VDOT reserve the right to request a traffic study at any time, as deemed necessary.)*

#### High Traffic-Generating Land Uses:

- Single-family residential subdivisions, Multi-family residential units, or Apartments with more than 75 dwelling units
- Restaurant (with or without drive-through windows)
- Gas station/Convenience store/Car wash
- Retail shop/Shopping center
- Offices (including: financial institutions, general, medical, etc.)
- Regional public facilities
- Educational/Recreational facilities
- Religious assemblies
- Hotel/Motel
- Golf course
- Hospital/Nursing home/Clinic
- Industrial site/Factory
- Day care center
- Bank
- Non-specific use requests

#### Road Network Situations:

- Development adjacent to/with access onto/within 500-ft of intersection of a roadway classified as an arterial road (e.g., Rte 11, 24, 115, 117, 460, 11/460, 220, 221, 419, etc)
- For new phases or changes to a development where a previously submitted traffic study is more than two (2) years old and/or roadway conditions have changed significantly
- When required to evaluate access issues
- Development with ingress/egress on roads planned or scheduled for expansion, widening, improvements, etc. (i.e. on Long Range Transportation Plan, Six-Yr Road Plan, etc.)
- Development in an area where there is a known existing traffic and/or safety problem
- Development would potentially negatively impact existing/planned traffic signal(s)
- Substantial departure from the Community Plan
- Any site that is expected to generate over one hundred (100) trips during the peak hour of the traffic generator or the peak hour on the adjacent streets, or over seven hundred fifty (750) trips in an average day

**Effective date: April 19, 2005**

Community Development



Planning &amp; Zoning Division

## NOTICE TO APPLICANTS FOR REZONING, SUBDIVISION WAIVER, PUBLIC STREET WAIVER, OR SPECIAL USE PERMIT PETITION

### PLANNING COMMISSION APPLICATION ACCEPTANCE PROCEDURE

The Roanoke County Planning Commission reserves the right to continue a Rezoning, Subdivision Waiver, Public Street Waiver or Special Use Permit petition if new or additional information is presented at the public hearing. If it is the opinion of the majority of the Planning Commissioners present at the scheduled public hearing that sufficient time was not available for planning staff and/or an outside referral agency to adequately evaluate and provide written comments and suggestions on the new or additional information prior to the scheduled public hearing then the Planning Commission may vote to continue the petition. This continuance shall allow sufficient time for all necessary reviewing parties to evaluate the new or additional information and provide written comments and suggestions to be included in a written memorandum by planning staff to the Planning Commission. The Planning Commission shall consult with planning staff to determine if a continuance may be warranted.

### POTENTIAL OF NEED FOR TRAFFIC ANALYSES AND/OR TRAFFIC IMPACT STUDY

The Roanoke County Planning Commission reserves the right to continue a Rezoning, Subdivision Waiver, Public Street Waiver, or Special Use Permit petition if the County Traffic Engineer or staff from the Virginia Department of Transportation requests further traffic analyses and/or a traffic impact study that would be beneficial in making a land use decision (*Note: a list of potential land uses and situations that would necessitate further study is provided as part of this application package*).

This continuance shall allow sufficient time for all necessary reviewing parties to evaluate the required traffic analyses and/or traffic impact study and to provide written comments and/or suggestions to the planning staff and the Planning Commission. If a continuance is warranted, the applicant will be notified of the continuance and the newly scheduled public hearing date.

**Effective date: April 19, 2005**

\_\_\_\_\_  
Name of Petition

*Deborah Bardin*      *Roger Bardin*

\_\_\_\_\_  
Petitioner's Signature

*11/21/14*  
\_\_\_\_\_  
Date

## REZONING AND LAND USE PERMITS

## REVIEW COMMENTS



Roanoke County  
Planning Department  
P.O. 29800  
Roanoke, VA 24018

June

William & Tonja Goodrich

Econ. Devel. – Joe Zielinski

PLANNING COMMISSION AGENDA ITEM

PROJECT

DEPARTMENT SENT FOR COMMENTS

PLEASE REVIEW AND RETURN COMMENTS BY Friday May 17, 2002

FAX (540): 772-2108

E-MAIL: [planning@co.roanoke.va.us](mailto:planning@co.roanoke.va.us)

May 8, 2002

The Department of Economic Development's position normally is to preserve industrial land. However, we do not object to the rezoning request from William and Tonja Goodrich to rezone a portion of an industrially zoned 20-acre parcel from I-2 to R-1. The property proposed for rezoning is not ideal for industrial use due to its lack of industrial access and challenging topography.

Joe Zielinski  
Economic Development Specialist

Thank you.  
Tammi Wood  
Program Support Specialist, P & Z

11-06/2002

MAP UPDATED  
BY DRM  
DATE 3/5/02

VERIFIED  
BY GE2  
DATE 8/6/2002

AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS OF ROANOKE  
COUNTY, VIRGINIA, HELD AT THE ROANOKE COUNTY ADMINISTRATION  
CENTER, TUESDAY, JUNE 25, 2002

**ORDINANCE 062502-4 TO CHANGE THE ZONING CLASSIFICATION OF  
A 11.44-ACRE TRACT OF REAL ESTATE LOCATED ON POOR  
MOUNTAIN ROAD (TAX MAP NO. 64.02-2-55) IN THE CATAWBA  
MAGISTERIAL DISTRICT FROM THE ZONING CLASSIFICATION OF I-2  
TO THE ZONING CLASSIFICATION OF R-1 WITH A CONDITION UPON  
THE APPLICATION OF WILLIAM AND TONJA GOODRICH**

WHEREAS, the first reading of this ordinance was held on May 28, 2002, and the  
second reading and public hearing were held June 25, 2002; and,

WHEREAS, the Roanoke County Planning Commission held a public hearing on this  
matter on June 4, 2002; and

WHEREAS, legal notice and advertisement has been provided as required by law.

BE IT ORDAINED by the Board of Supervisors of Roanoke County, Virginia, as  
follows:

1. That the zoning classification of a certain tract of real estate containing 11.44  
acres, as described herein, and located on Poor Mountain Road (Tax Map Number 64.02-  
2-55) in the Catawba Magisterial District, is hereby changed from the zoning classification  
of I-2, Industrial District, to the zoning classification of R-1, Low Density Residential District.

2. That this action is taken upon the application of William and Tonja Goodrich.

3. That the owner of the property has voluntarily proffered in writing the following  
condition which the Board of Supervisors of Roanoke County, Virginia, hereby accepts:

(1) One dwelling shall be allowed on the property and when the property  
line is adjusted, then the property line shall follow the metes and bounds of  
the zoning line.

4. That said real estate is more fully described as follows:

BEGINNING at a large chestnut oak on the northern right-of-way line of Bydawyle Road, this point is located N. 69 deg. 43' 04" W. 167.00 feet from a small maple, thence N. 13 deg. 45' 07" E. 1196.12 feet to an iron pin found, thence N. 69 deg. 55' 23" E. 894.47 feet to an iron pin found on the westerly right-of-way line of the Norfolk and Southern Railroad, thence with said right-of-way lines S. 10 deg. 22' 31" E. 731.02 feet to an iron pin set, thence S. 80 deg. 13' 29" W. 539.98 feet to an iron pin found, thence S. 29 deg. 07' 29" W. 277.80 feet to an iron pin found, thence S. 54 deg. 47' 29" W. 720.59 feet to the Place of Beginning.

5. That this ordinance shall be in full force and effect thirty (30) days after its final passage. All ordinances or parts of ordinances in conflict with the provisions of this ordinance be, and the same hereby are, repealed. The Zoning Administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this ordinance.

On motion of Supervisor Church to adopt the ordinance, and carried by the following recorded vote:

AYES: Supervisors Flora, McNamara, Minnix, Nickens, Church

NAYS: None

A COPY TESTE:



Diane S. Childers

Clerk to the Board of Supervisors

cc: File  
Arnold Covey, Director, Community Development  
Janet Scheid, Senior Planner  
William E. Driver, Director, Real Estate Valuation  
Paul M. Mahoney, County Attorney



